

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 AGR-05 CIAE-00 NSAE-00
NSCE-00 SSO-00 USIE-00 INRE-00 FEA-01 ACDA-07
AID-05 CEA-01 CEQ-01 CG-00 EPG-02 COME-00 DLOS-09
DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01
INR-07 INT-05 JUSE-00 L-03 NSC-05 NSF-01 OES-07
OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 /134 W
-----111122Z 036830 /23

O 111032Z JUN 77

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC IMMEDIATE 7100

INFO AMEMBASSY TRIPOLI IMMEDIATE

AMEMBASSY ALGIERS PRIORITY

AMEMBASSY CAIRO PRIORITY

AMEMBASSY THE HAGUE PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY RABAT PRIORITY

AMEMBASSY ROME PRIORITY

AMEMBASSY VALLETTA PRIORITY

USMISSION USUN NEW YORK PRIORITY

CINCUSNAVEUR PRIORITY

EUCOM PRIORITY

COMSIXTHFLT PRIORITY

USDOCOSOUTH NAPLES PRIORITY

SECDEF WASHDC PRIORITY

CTF SIX XEVEN PRIORITY

CTF SIX NINE PRIORITY

CTF SIX ZERO PRIORITY

CTG SIX ZERO PT TWO PRIORITY

FOSIF ROTA SPAIN PRIORITY

C O N F I D E N T I A L TUNIS 4128

CINCUSNAVEUR AND EUCOM FOR POLADS; USDOCOSOUTH PASS

CINCOSOUTH FOR POLAD

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E.O. 11652: GDS

TAGS: PFOR PLOS ENRG TS LY

SUBJECT: TUNISIA AND LIBYA AGREE TO SUBMIT CONTINENTAL

SHELF DISPUTE TO ICJ - AGAIN

REF: TUNIS 4119 DTG 101548Z JUN 77 (NOTAL), STATE 135356 (NOTAL)

1. SUMMARY. FOR THE SECOND TIME IN LESS THAN TEN MONTHS TUNISIA AND LIBYA HAVE AGREED TO TAKE THE CONTINENTAL SHELF DISPUTE TO THE ICJ. THIS LATEST AGREEMENT WAS SIGNED IN TUNIS EVENING OF JUNE 10 AT CLOSE OF CURRENT SERIES OF TUNISIAN-LIBYAN DISCUSSIONS CARRIED OUT UNDER THE AUSPICES OF ARAB LEAGUE. OTHER THAN FACT THAT QUESTION WILL BE SUBMITTED TO ICJ FOR "ARBITRATION", FEW ADDITIONAL DETAILS HAVE BEEN MADE PUBLIC. END SUMMARY

2. IN PRESS STATEMENT ISSUED AFTER AGREEMENT SIGNING CEREMONIES, FOREIGN MINISTER CHATTY STATED THAT ACCORD INVOLVES "...AGREEMENT ON A REQUEST WHICH, AFTER ITS RATIFICATION, WILL BE PRESENTED BY TWO GOVERNMENTS TO ICJ." CHATTY WAS ALSO QUOTED AS SAYING "THE FORMULA ON WHICH WE HAVE AGREED PERHAPS IS NOT IDEAL, BUT WE HOPE TO COME TO A SOLUTION OF THE PROBLEM." IN ADDITION, HE OBSERVED "YESTERDAY OUR DIFFERENCES WERE NOT CLEAR. TODAY THEY STILL EXIST, BUT THEY HAVE NOW BECOME VERY CLEAR, THANKS TO THE RESULTS OF OUR DISCUSSIONS...A FIRST STEP TOWARD A SOLUTION."

3. LIBYAN FOREIGN MINISTER TURAYKI AND ARAB LEAGUE SECRETARY GENERAL RIADH ALSO MADE PUBLIC STATEMENTS PRAISING RESULTS OF DISCUSSIONS. TURAYKI CHARACTERIZED ACCORD AS BEING MORE THAN "...THE BEGINNING TO A SOLUTION OF THE PROBLEM, BUT THE INAUGURATION OF A NEW ERA IN THE DEVELOPMENT OF FRATERNAL AND FRIENDLY RELATIONS BTOPHT 5#3 529 ?495#34 0390)3 . ALTHOUGH NOT REPORTED IN PRESS, TV NEWS JUNE 9 CONFIDENTIAL

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SHOWED FILM CLIP OF TURAYKI SAYING "THAT ACCORD WAS NOT DIFFICULT BECAUSE TUNISIAN AND LIBYAN PEOPLES ARE REALLY ONE AND THE SAME." RIADH PRAISED THE WISDOM OF PRESIDENT BOURGUIBA AND QADHAFI AND NOTED THAT ARAB WORLD COULD PROFIT FROM THIS EXAMPLE OF RESOLVING DISPUTES AMONG BROTHER STATUS THROUGH THE GOOD OFFICES OF ARAB LEAGUE.

4. COMMENT: ALTHOUGH FEW DETAILS REGARDING THE ACCORD ARE YET AVAILABLE, IT IS CLEAR THAT TUNISIA ACHIEVED CONSIDERABLY LESS THAN ITS ORIGINAL OBJECTIVES. WE NOTE THAT THERE HAS BEEN NO PUBLIC REFERENCE TO OFFSHORE DRILLING QUESTION IN GENERAL OR TO THE J.W. BATES" IN PARTICULAR. THIS IS PROBABLY KEY ISSUE ON WHICH TUNISIA WAS FORCED TO COMPROMISE IN ORDER TO OBTAIN TURAYKI'S ACCEPTANCE (AGAIN) OF THE PRINCIPLE OF ICJ ARBITRATION. AMBASSADOR HEDDA'S REMARKS REPORTED IN STATE 135356 GIVE FURTHER BASIS FOR THIS CONCLUSION. ONE IMPORTANT POINT ON WHICH WE WILL SEEK CLARIFICATION IS WHETHER LIBYA ACCEPTED THE TUNISIAN DEMAND THAT ARBITRATION BE BINDING.

5. WE UNDERSTAND INFORMALLY FROM A SENIOR TUNISIAN MFA OFFICIAL THAT LIBYAN FOREIGN MINISTER INSISTED THAT AGREEMENT REACHED YESTERDAY MUST BE SUBMITTED TO LEGISLATIVE BODIES OF BOTH COUNTRIES FOR "RATIFICATION" BEFORE ICJ CAN BE OFFICIALLLY SEIZED OF DISPUTE. OBVIOUSLY GOT IS STILL A LONG WAY FROM ACHIEVING ITS DESIRED OBJECTIVE OF ICJ ARBITRATION, BUT SOME PROGRESS MAY HAVE BEEN MADE. AT ANY RATE THE SITUATION IS NOW ATLEAST TEMPORARILY DEFUSED AND THIS IN ITSELF IS WORTH A SMALL CHEER.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: GS
Errors: N/A
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